

EXHIBIT K



NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 114765A
17 January 2023

DANIEL L MCFADDEN
ACLU OF MASSACHUSETTS
ONE CENTER PLAZA SUITE 850
BOSTON MA 02108

Dear Daniel McFadden:

This is a final response to your Freedom of Information Act (FOIA) request dated 15 August 2022. As stated in our initial response letter to you, dated 12 September 2022, your request was assigned Case Number 114765. Because there are no assessable fees for this request, we did not address your fee category or your request for a fee waiver. Your request has been processed under the provisions of the FOIA.

In coordination with the Federal Bureau of Investigation (FBI), a federal law enforcement agency, we can neither confirm nor deny whether we possess records responsive to your request pursuant to FOIA Exemption (b)(7)(A) [5 U.S.C. § 552 (b)(7)(A)]. A confirmation that we have or do not have responsive records would be tantamount to acknowledging the existence or nonexistence of aspects of an ongoing investigation that the FBI has not previously acknowledged. The FBI has advised that 1) if the requested records exist, they would be relevant to the FBI's ongoing investigation and 2) confirmation by the National Security Agency (NSA) as to the existence or nonexistence of such records could reasonably be expected to interfere with the ongoing investigation. Accordingly, NSA neither confirms nor denies the existence of records pursuant to FOIA Exemption (b)(7)(A) [5 U.S.C. § 552 (b)(7)(A)].

As this matter is currently in litigation, we are omitting our standard appeal process notification in this letter. If you have any further inquiries about this case, please contact Attorney Julia Heiman of the Department of Justice at (202) 616-8480 or via e-mail at Julia.heiman@usdoj.gov.

Sincerely,

A handwritten signature in cursive ink that reads "Paula A. Gill".

PAULA A. GILL
Chief, FOIA/PA Division
NSA Initial Denial Authority